

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-2, 4-7, and 19-30 are pending in the application. Claims 3 and 8-18 are canceled without prejudice or disclaimer; Claims 1-2, 4 and 6 are amended; Claims 19-30 are added. Claim 1 is amended to recite additional features disclosed in the specification. Claims 2, 4 and 6 are amended to address cosmetic matters of form. Support for amended Claims 1-2, 4, and 6, and new Claims 19-30 can be found in the original specification, claims and the drawings.¹

In the outstanding Office Action, Claims 1-4, 6, 8-9, 11, 13, 15, and 17 were rejected under 35 U.S.C. 103(a) over Nordman et al. (US 7,194,760 B2) in view of Haartsen et al. (US 6,570,857 B1) and further in view of Barret (US 6,832,321 B1); Claims 7, 10, 12, 14, 16 and 18 were rejected under 35 U.S.C. 103(a) over Nordman in view of Haartsen, further in view of Barret and further in view of Ohkita et al. (US 2002/0150249 A1); Claim 5 was objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants appreciatively acknowledge indication of allowable subject matter.

It is noted that the Office Action does not explicitly state how Claims 16 and 18 are rejected, but on page 11, it does mention the claims as applied to their parent claims being rejected. Furthermore, a phone conversation with Examiner Kasraian on December 7, 2007, clarified the reference citations on page 11, line 5 of the Office Action, as the Nordman patent and the Haartsen patent are referenced, but incorrect patent numbers are provided.

First, Applicants wish to thank Examiner Kasraian for the courtesy of an interview granted to the Applicants representative on December 12, 2007, at which time the

¹ Amended Claim 1 adds a “confirmation packet transmission unit” which is described in the specification, paragraph 13, and Figures 2 and 3B.

outstanding issues in this case were discussed. During the interview Claims 1, 22 and 26 were discussed and amendments were proposed in view of the teachings of the references used in the Office Action. The present amendment incorporates changes and suggestions discussed during the interview.

In response to the rejections of Claims 1-4, 6, 8-9, 11, 13, 15, and 17 under 35 U.S.C. 103(a) over Nordman in view of Haartsen and Barret, and the rejections of Claims 7, 10, 12, 14, 16 and 18 under 35 U.S.C. 103(a) over Nordman in view of Haartsen, Barret and Ohkita, Applicants request reconsideration of the rejections and traverse the rejections as discussed next.

Claim 1 is amended to recite novel features not taught or suggested by the applied references. Briefly summarizing, the present invention as disclosed in Claim 1 relates to a communication device for communicating with other devices on a network and how this device sets its address, to avoid address collisions. The device includes a first tentative address determination unit configured to determine a first address candidate. The candidate address is transmitted via the packet transmission unit to the network, to check whether other devices on the network already are using this candidate address. The device further includes

a confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network when receiving, from another communication device within a first prescribed period of time since transmitting the address initialization packet, none of a response packet indicating that an address identical to the first tentative address is currently used, an address initialization packet containing the first tentative address and an address confirmation packet indicating that the first tentative address is determined as an address of the another communication device.

The communication device further includes an address determination unit that sets the address of the device when it is determined that the address is not being used by any other device on the network.

Turning now to the applied references, Applicants respectfully submit that none of the applied references, alone or in combination, teach or suggest a *confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network* under the conditions disclosed in Claim 1.

Specifically, Nordman describes a method for protecting privacy when using a Bluetooth device. Pseudonym addresses used in place of physical hardware addresses are described, however the concept of a multiple step address assignment, with a confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network under the conditions disclosed in Claim 1 is lacking.

Turning now to Haartsen, a multiple access scheme for frequency hopping networks is described, such as time division multiple access (TDMA), but fails to teach or suggest a confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network under the conditions disclosed in Claim 1.

Finally, Barret describes a public network access server with a user configurable firewall, but fails to teach or suggest a confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network under the conditions disclosed in Claim 1.

Therefore, even if the combination of Nordman, Haartsen, and Barret is deemed proper, the combination fails to teach or suggest all the features recited in Claim 1, making Claim 1 allowable. Claims 2, 4-7 and 19 depend from Claim 1 directly or indirectly, and are therefore also allowable.

Accordingly, for at least reasons stated above, Applicants respectfully request the rejection of Claims 1, 2, and 4-7 under 35 U.S.C. 103(a) be withdrawn. Claims 3 and 8-18 are canceled, rendering their rejections moot.

The above argument is also applicable to new independent Claim 20, which recites a method of communication, which includes *transmitting an address confirmation packet containing the first tentative address to the network* under the same conditions as specified in Claim 1. Therefore, for the same reasons as discussed above, Claim 20 and its dependent Claim 21 are allowable.

New independent Claim 22 and 24 are directed to a communication device and a communication method, which include transmitting an address server detection packet, in order for the device to become an address server. The communication device attempts to become an address server, which assigns address to other devices on the network, by sending a server detection request packet to the network, and waiting for responses from other devices. If no other devices are trying to become an address server, and specific conditions are met, the device becomes an address server. Similar subject matter was disclosed in canceled Claim 8, which was rejected under 35 U.S.C. 103(a) over Nordman in view of Haartsen and Barret. The Office Action asserts, that Nordman describes an address server when referring to a Bluetooth master. However, a Bluetooth master is not an address server as described in the present application. According to a description of “master” on the Bluetooth.com website, controlled by the Bluetooth SIG, a master is a device that controls the clock common to a master and a slave device, and both devices use the master’s clock to control their frequency hopping sequence. There is no mention of assigning network address to other devices. Thus Nordman’s reference to the Bluetooth master, is not analogous to the address server recited in Claims 22 and 24, and Claims 22 and 24, and their dependent Claims 23 and 25 patentably define over Nordman, and any combination of references which

relies on Nordman to provide the address server that assigns addresses. Therefore Claims 22-25 are allowable.

New independent Claim 26 is directed to a communication device for communicating with other communication devices. It includes *inter alia* a ***confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network*** under the same conditions as recited in Claim 1. Therefore the argument regarding Claim 1 holds when applied to Claim 26, as the combination of the references relied upon to reject Claim 1, fails to teach the ***confirmation packet transmission unit configured to transmit an address confirmation packet containing the first tentative address to the network***. Therefore Claim 26 and its dependent Claims 27-30 are allowable.

Consequently, in view of the present amendment, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited. Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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